

Appl. No. 10/615,970
Docket No. 9325
Amdt. dated December 10, 2007
Reply to Office Action mailed on September 28, 2007
Customer No. 27752

REMARKS

Claim Status

Claims 1 and 15 have been amended to define the claimed invention with greater specificity by reciting that the fiber flexibilizing agent and the opacity increasing agent are present in the fiber flexibilizing system at a weight ratio of from about 2:1 to about 100:1. Support for these amendments is found in the Specification at page 6, lines 15-17 and in the Claims as originally filed.

Claim 8 has been amended to delete the word "particulates."

Claims 2-6, 8-10, 12 and 13 have been amended to be consistent with Claim 1, as amended.

Claims 11, 14, 17 and 18 have been cancelled without prejudice.

Claims 1-6, 8-10 and 12-15 are pending in the present application. No additional claims fee is believed to be due.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

Rejection Under 35 USC §112, First Paragraph

Claim 8 is rejected by the Examiner as allegedly being indefinite. Applicants submit that Claim 8, as amended is no longer indefinite.

Rejection Under 35 USC §102(b) Over JP 05-156596 or JP 2001-262489

Claims 1-6, 8-15, and 17-18 are rejected by the Examiner under 35 USC §102(b) as allegedly being anticipated by JP 05-156596 to Kenji ("Kenji") or JP 2001-262489 to Takeharu ("Takcharu"). The Examiner asserts that Kenji and Takeharu both disclose tissue that is impregnated with a polyhydric component (flexibilizing agent) and saccharides (opacity increasing agent).

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Applicants respectfully submit that Kenji and Takeharu fail to teach each and every element of Claims 1 and 15, the independent claims, as amended, because Kenji and Takeharu fail to teach that their polyhydric component and saccharides are present on the web at a weight ratio of from about 2:1 to about 100:1.

Accordingly, Applicants respectfully submit that Claim 1, as amended, is not anticipated by Kenji and Takeharu. Further, Applicants submit that claims 2-6, 8-10 and 12-13, as amended, which ultimately depend from Claim 1, as amended, are not anticipated by Kenji and Takeharu for the same reasons that Claim 1, as amended, is not anticipated by Kenji and Takeharu. Further, Applicants submit that Claim 15, as amended, is not anticipated by Kenji and Takeharu.

Rejection Under 35 USC §102(e) Over U.S. Patent Publication No. 2004/0118534

Claims 1-6, 8-15, and 17-18 are rejected by the Examiner as allegedly being anticipated by U.S. Patent Publication No. 2004/0118534 to Anderson ("Anderson"). The Examiner asserts that Anderson discloses a tissue, which is surface treated with a creping composition comprising a flexibilizing agent (PEG) and opacity increasing agents (fillers/pigments).

Applicants respectfully submit that Anderson fails to teach each and every element of Claims 1 and 15, the independent claims, as amended, because Anderson fails to teach that its flexibilizing agent and opacity increasing agents are present on the tissue at a weight ratio of from about 2:1 to about 100:1. Anderson, paragraphs [0033] and [0041].

Accordingly, Applicants respectfully submit that Claim 1, as amended, is not anticipated by Anderson. Further, Applicants submit that claims 2-6, 8-10 and 12-13, as amended, which ultimately depend from Claim 1, as amended, are not anticipated by Anderson for the same reasons that Claim 1, as amended, is not anticipated by Anderson. Further, Applicants submit that Claim 15, as amended, is not anticipated by Anderson.

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Rejection Under 35 USC §103(a) Over U.S. Patent No. 5,302,249 or
U.S. Patent No. 6,872,282, or U.S. Patent Application Publication No. 2002/0185239
or U.S. Patent No. 5,622,599

Claims 1-13, 15, and 17 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over U.S. Patent No. 5,302,249 to Malhotra, et al. ("Malhotra"), or U.S. Patent No. 6,872,282 to Kohler, et al. ("Kohler"), or U.S. Patent Application Publication No. 2002/0185239 to Kimpimaki, et al. ("Kimpimaki"), or U.S. Patent No. 5,622,599 to Sproule, et al. ("Sproule"). The Examiner asserts that Malhotra, Kohler, Kimpimaki and Sproule all disclose fibrous structure that have at least one surface coated with a coating/sizing composition comprising a flexibilizing agent and an opacity increasing agent.

Applicants respectfully submit that Malhotra, Kohler, Kimpimaki and Sproule, alone or in combination, all fail to teach each and every element of Claims 1 and 15, the independent claims, as amended, because they fail to teach a single-ply or multi-ply sanitary tissue product comprising a fibrous structure comprising flexibilizing agents and opacity increasing agents being present on their fibrous structures at a weight ratio of from about 2:1 to about 100:1.

Accordingly, Applicants respectfully submit that Claim 1, as amended, is not rendered obvious over any of the cited references, alone or in combination. Further, Applicants submit that claims 2-6, 8-10 and 12-13, as amended, which ultimately depend from Claim 1, as amended, are not rendered obvious over any of the cited references. MPEP 2143.03. Further, Applicants submit that Claim 15, as amended, is not rendered obvious over any of the cited references, alone or in combination.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In

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view of the foregoing, entry of the amendment(s) presented herein, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Respectfully submitted,

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(Amendment-Response to Office Action.doc)

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